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6 Attorney for Joshua A. Corfee

7 **UNITED STATES DISTRICT COURT**

8 **DISTRICT OF NEVADA**

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 v.

12 JOSHUA A. CORFEE,

13 Defendant.

Case No. 2:23-cr-00074-JAD-DJA

**STIPULATION TO CONTINUE  
MOTION DEADLINES AND TRIAL  
DATES**

(Second Request)

14  
15 IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson,  
16 United States Attorney, and Jean Ripley, Assistant United States Attorney, counsel for the  
17 United States of America, and Rene L. Valladares, Federal Public Defender, and Joanne  
18 Diamond, Assistant Federal Public Defender, counsel for Joshua Corfee, that the calendar call  
19 currently scheduled for October 10, 2023 at 1:30 PM, and the trial scheduled for October 17,  
20 2023 at 9:00 AM, be vacated and set to a date and time convenient to this Court, but no sooner  
21 than sixty (60) days.

22 IT IS FURTHER STIPULATED AND AGREED, that the parties herein shall have to  
23 and including October 9, 2023, to file any and all pretrial motions and notices of defense.

24 IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they  
25 shall have to and including October 23, 2023, to file any and all responsive pleadings.

26 IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they  
shall have to and including October 30, 2023, to file any and all replies to dispositive motions.

1 The Stipulation is entered into for the following reasons:

2 1. Counsel for the defendant needs additional time to conduct investigation in this  
3 case in order to determine whether there are any pretrial issues that must be litigated and  
4 whether the case will ultimately go to trial or will be resolved through negotiations.

5 2. The defendant is incarcerated and does not object to the continuance.

6 3. The parties agree to the continuance.

7 4. The additional time requested herein is not sought for purposes of delay, but  
8 merely to allow counsel for defendant sufficient time within which to effectively review and  
9 complete investigation of the discovery materials provided.

10 5. Additionally, denial of this request for continuance could result in a miscarriage  
11 of justice. The additional time requested by this Stipulation is excludable in computing the  
12 time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18,  
13 United States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United  
14 States Code, Section 3161(h)(7)(B)(i), (iv).

15 This is the second stipulation to continue filed herein.

16 DATED: September 20, 2023.

17 RENE L. VALLADARES  
18 Federal Public Defender

JASON M. FRIERSON  
United States Attorney

19 By /s/ Joanne Diamond

By /s/ Jean Ripley

20 JOANNE DIAMOND  
Assistant Federal Public Defender

JEAN RIPLEY  
Assistant United States Attorney

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
JOSHUA A. CORFEE,  
  
Defendant.

Case No. 2:23-cr-00074-JAD-DJA

**FINDINGS OF FACT, CONCLUSIONS**  
**OF LAW AND ORDER**

**FINDINGS OF FACT**

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Counsel for the defendant needs additional time to conduct investigation in this case in order to determine whether there are any pretrial issues that must be litigated and whether the case will ultimately go to trial or will be resolved through negotiations.

2. The defendant is incarcerated and does not object to the continuance.

3. The parties agree to the continuance.

4. The additional time requested herein is not sought for purposes of delay, but merely to allow counsel for defendant sufficient time within which to effectively review and complete investigation of the discovery materials provided.

5. Additionally, denial of this request for continuance could result in a miscarriage of justice. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code, Section 3161(h)(7)(B)(i), (iv).

**CONCLUSIONS OF LAW**

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity to effectively and thoroughly prepare for trial, taking into account the exercise of due diligence.

The continuance sought herein is excludable under the Speedy Trial Act, Title 18, United States Code, Section § 3161 (h)(7)(A), when the considering the factors under Title 18, United States Code, § 3161(h)(7)(B)(i), (iv).

**ORDER**

IT IS THEREFORE ORDERED that the parties herein shall have to and October 9, 2023 to file any and all pretrial motions and notice of defense.

IT IS FURTHER ORDERED that the parties shall have to and including October 23, 2023 to file any and all responses.

IT IS FURTHER ORDERED that the parties shall have to and including October 30, 2023 to file any and all replies.

IT IS FURTHER ORDERED that trial briefs, proposed voir dire questions, proposed jury instructions, and a list of the Government's prospective witnesses must be electronically submitted to the Court by the \_\_\_\_ day of \_\_\_\_\_, 2023

IT IS FURTHER ORDERED that the calendar call currently scheduled for October 10, 2023, at the hour of 1:30 p.m., be vacated and continued to \_\_\_\_\_ at the hour of \_\_\_\_:\_\_\_\_.m.; and the trial currently scheduled for October 17, 2023, at the hour of 9:00 a.m., be vacated and continued to \_\_\_\_\_ at the hour of \_\_\_\_:\_\_\_\_.m.

DATED this \_\_\_\_ day of September, 2023.

\_\_\_\_\_  
UNITED STATES DISTRICT JUDGE